

AMENDMENT NO. TWENTY-EIGHT (28)
TO
AGREEMENT FOR ENGINEERING SERVICES
CITY OF BILLINGS AVIATION AND TRANSIT DEPARTMENT

DATED May 5, 2022

This AMENDMENT, made and entered into on _____ by and between the following:

City of Billings, Montana, a Municipal Corporation, PO Box 1178
Billings, Montana 59103, hereinafter designated the OWNER

and

Morrison-Maierle, Inc., 315 N. 25th Street, Suite 102, Billings, Montana 59101,
a private Montana Corporation, hereinafter designated as the ENGINEER

WITNESSETH:

WHEREAS, the OWNER and the ENGINEER have entered into an Agreement for Professional Engineering service contract dated **May 5, 2022**, and;

WHEREAS, the OWNER has a need for additional engineering services, and;

WHEREAS, the ENGINEER represents that he/she is qualified to perform such services, is in compliance with the Montana Statutes relating to the registration of professional engineers and is willing to furnish such services to the OWNER;

NOW, THEREFORE, in consideration of the terms, conditions, covenants and performance contained herein, or attached and incorporated herein, the parties hereto agree to amend the **May 5, 2022** Agreement, corresponding amendments to this Agreement, and all related exhibits as follows:

ARTICLE I – SCOPE OF SERVICES

The following items of work listed below are added and amended by Amendment TWENTY-EIGHT (28) for Runway 7/25 Extension and Reconstruction.

The general scope of work is to provide Construction Administration, survey, on-site representation, and AGIS closeout documentation for reconstruction of Runway 7/25 with extensions on both runway ends.

Section A2 - SERVICES OF ENGINEER

A2.01

Design and Construction Administration of Airport Improvement Projects

- Phase I Programming and Pre-Design Activities for the Project (Master Agreement Section 2.01 B.)
- Phase II Preliminary Design Engineering for the Project (Master Agreement Section 2.01 B.) – Under Amendment 20 in 2020.
- Phase III Final Design Engineering for the Project (Master Agreement Section 2.01 B.) – Under Amendment 22 in 2024
- Phase IV Assistance in the Bidding Process (Master Agreement Section 2.01 B.) – Under Amendment 22 in 2025
- Phase V Construction Phase Services including Resident Project Representative (Master Agreement Section 2.01 B.)
- Phase VI Project Closeout (Master Agreement Section 2.01 B)

A2.02 Basic Services

The ENGINEER agrees to provide normal professional construction phase engineering services in connection with the Project as set forth below:

Runway 7/25 project includes the extension of both runway thresholds to fix the existing pavement geometry to meet required FAA safety standards. This project includes removal of the existing pavement section (4" asphalt over 8" 100% millings), regrade and compact existing subgrade, build new pavement section (4" asphalt over 8" P-208) on existing runway and on the runway extension. Taxiways "H" and "D" will also be extended and relocated to meet B-II design standards and connect to the new runway ends. Final design for storm drainage with new inlets, pipe, and final design grading with details of runway/taxiway striping, lighting, signage, PAPIs, REILs, and wind cone. This project has been added into the AGIS system for new runway end locations, imagery will be completed under the final design in the fall. The reconstruction cost is \$6.2 million with bid opening 2025 prices.

Construction Phase

- This will include construction observation time, project management during the project, and survey.
- The Runway 7/25 project is a 180 calendar-day project. There will be one RPR on site throughout the project and during busy construction operations a second RPR will be on site for no more than 60 calendar days.
- Prepare weekly FAA observation reports, review shop drawings and submittals, all geotech testing reports and acceptance testing, final inspection for FAA acceptance.
- Survey will include catch limits, excavation; subgrade grades and acceptance; base course grade and acceptance; paving 2 lifts grades and acceptance; AGIS profile grades, PAPI layout, REIL layout; windsock; all light locations; storm drain infrastructure; and final pavement marking layout.
- AGIS data and record drawing information. Closeout reports, review DBE, Lien releases and ALP update.

Section A3 – Owner’s Responsibilities

The provisions of **Section 3 Owner’s Responsibilities** from the Master Agreement are hereby incorporated by reference.

The following SPONSOR’s responsibilities related directly to this project are added to this Task Amendment: No additional Changes added to this section.

Section A4 - Times for Rendering Services

<u>Phase</u>	<u>Completion Date</u>
Phase I – Programming and Pre-Design Activities	March 2025
Phase II – Preliminary Design Engineering	Complete - NA
Phase III –Final Design Engineering	Complete - NA
Phase IV – Bidding Assistance	Complete – NA
Phase V - Construction Phase Services	April 2025
Phase VI – Project Closeout Services	January 2026

Section A5 - Payments to ENGINEER

A5.01 Effective Rates for this Task Amendment

- A. The approved federal overhead rate in effect on the date of this Amendment is 208.9 %.
- B. Per Diem, Subsistence and Transportation rate shall be as set forth in the Federal Travel Regulations.

A5.02. Summary of Total Compensation

The total compensation for services identified under this Amendment is estimated to be \$ 589,570.00 based on the following assumed distribution:

Phase	Method of Payment		Compensation
Phase I – Programming & Pre-Design Activities	Lump Sum		\$ -
Phase II – Preliminary Design Services	Lump Sum		
Phase III – Final Design Services	Lump Sum		\$ -
Phase IV – Assistance in the Bidding Process	Cost Plus Fixed Fee		
	Direct Labor, Payroll & Overhead	\$0	
	Reimbursable Expenses	\$0	
	Subconsultant Costs	\$0	
	Estimated Total Cost	\$0	
	Fixed Fee	\$0	
	Total Estimated Compensation		\$ -
Phase V - Construction Phase Services	Cost Plus Fixed Fee		
	Direct Labor, Payroll & Overhead	\$487,835	
	Reimbursable Expenses	\$17,550	
	Subconsultant Costs	\$45,000	
	Estimated Total Cost	\$550,385	
	Fixed Fee	\$73,175	
	Total Estimated Compensation		\$ 623,560
Phase VI – Project Closeout Services	Lump Sum		\$ 27,000
TOTAL COMPENSATION THIS TASK AMENDMENT			\$ 650,560

Section A6 - CONSULTANTS:

Rimrock Engineering – Geotechnical Acceptance Testing

Section A7- OTHER MODIFICATIONS TO MASTER AGREEMENT:

None

Section A8 - ATTACHMENTS:

- A. Exhibit A – Engineering Budget
- B. Exhibit B – Total Amendments to Date

Section A9 - APPROVAL AND ACCEPTANCE:

A9.01 Approval and Acceptance of this Amendment, including the attachments listed above, shall incorporate this document as part of the Master Agreement. Engineer is authorized to begin performance of Programming and Construction Administration on the Project on April 1, 2025, which date is confirmed upon receipt of a copy of this Amendment signed by **Owner**.

The Effective Date of this Amendment is as written in above.

IN WITNESS WHEREOF, the parties hereto have made and executed the Amendment TWENTY-EIGHT (28) on _____.

CONSULTANT

Morrison-Maierle, Inc.

BY: *Gill A. Cook*

4/4/2025

DATE: _____

OWNER

City of Billings

BY: _____

DATE: _____

ATTEST:

BY: _____
City Clerk

APPROVED AS TO FORM:

BY: _____
City Attorney

Exhibit A

Amendment 28 Phase VI - Closeout Report

Engineering Services	Total Man-hours	Labor Rate	Total
Professional Services for	154	\$175.32	\$27,000

Expenses

Vehicle (Company)	\$0
Vehicle (Rental)	\$0
Air Travel (Commercial)	\$0
Air Travel (Charter)	\$0
Meals	\$0
Lodging	\$0
Survey Supplies	\$0
Survey Equipment	\$0
Printing	\$0
Full Size ALP Printing + Postage	\$0
Total Expenses	\$0
Professional Charges	\$0 subconsultants

Total MU Labor	\$27,000
Total Direct Expenses	\$0
Total Fixed Fee	\$0
Total MU Labor & Expenses & Fixed Fee	\$27,000
Professional Expenses	\$0
Total Lump Sum for Design Phase	\$27,000

Amendment 28
ENGINEERING BUDGET
Phase V - Construction Administration

Engineering Services	Total		
	Man-hours	Labor Rate	Total
Professional Services	2,962	\$164.70	\$487,835

Expenses

Vehicle (Company)	\$4,950	
Vehicle (Rental)	\$3,200	
Air Travel (Commercial)	\$0	
Air Travel (Charter)	\$0	
Meals	\$0	
Lodging	\$0	
Survey Supplies	\$400	
Survey Equipment	\$9,000	
Printing	\$0	
Full Size ALP Printing + Postage	\$0	
Total Expenses	\$17,550	
<u>Professional Charges</u>	<u>\$45,000</u>	subconsultants

Total MU Labor	\$487,835
Total Direct Expenses	<u>\$17,550</u>
Total MU Labor & Expenses	<u>\$505,385</u>
Fixed Fee	\$73,175
Professional Expenses	<u>\$45,000</u>
Total Cost Plus Fixed Fee for CA	<u>\$623,560</u>

Exhibit B

Summary of Agreements for Professional Engineering Services				
Description		Labor & Expenses	Fixed Fee	Total
Amendment No. 1 FY 23 On Call				
PHASE I - DESIGN	TABLE 1A	\$24,999		\$24,999
PHASE II - CONSTRUCTION	TABLE 2A			\$0
TOTAL Amendment No. 1		\$24,999	\$0	\$24,999
Amendment No. 2 Carpet Replacement				
PHASE I - DESIGN	TABLE 1A	\$9,792		\$9,792
PHASE II - CONSTRUCTION	TABLE 2A	\$2,047	\$299	\$2,346
TOTAL Amendment No. 2		\$11,839	\$299	\$12,138
Amendment No. 3 Baggage Claim Restroom Remodel				
PHASE I - DESIGN	TABLE 1A	\$29,627		\$29,627
PHASE II - CONSTRUCTION	TABLE 2A	\$14,810	\$1,073	\$15,883
TOTAL Amendment No. 3		\$44,437	\$1,073	\$45,510
Amendment No. 4 Steam Boiler Replacement Project				
PHASE I - DESIGN	TABLE 1A	\$9,561		\$9,561
PHASE II - CONSTRUCTION	TABLE 2A	\$2,837	\$416	\$3,253
TOTAL Amendment No. 4		\$12,398	\$416	\$12,814
Amendment No. 5 Mid-Field Service Road				
PHASE I - DESIGN	TABLE 1A	\$54,709		\$54,709
PHASE II - CONSTRUCTION	TABLE 2A	\$65,006	\$8,841	\$73,847
TOTAL Amendment No. 5		\$119,715	\$8,841	\$128,556
Amendment No.6 Commerical Apron - Schedule 4				
PHASE I - DESIGN	TABLE 1A	\$67,332		\$67,332
PHASE II - CONSTRUCTION	TABLE 2A	\$143,015	\$19,070	\$162,085
TOTAL Amendment No.6		\$210,347	\$19,070	\$229,417
Amendment No. 7 MET Transit OnCall				
PHASE I - DESIGN	TABLE 1A	\$24,999		\$24,999
PHASE II - CONSTRUCTION	TABLE 2A			
TOTAL Amendment No. 7		\$24,999	\$0	\$24,999
Amendment No. 8 Passenger Facility Charge (PFC) Application Assistance				
PHASE I - DESIGN	TABLE 1A	\$12,168		\$12,168
PHASE II - CONSTRUCTION	TABLE 2A			
TOTAL Amendment No. 8		\$12,168	\$0	\$12,168
Amendment No. 9 Terminal Patch and Paint				
PHASE I - DESIGN	TABLE 1A	\$9,126		\$9,126
PHASE II - CONSTRUCTION	TABLE 2A	\$3,362	\$504	\$3,866
TOTAL Amendment No. 9		\$12,488	\$504	\$12,992

Summary of Agreements for Professional Engineering Services (Cont.)				
Description		Labor & Expenses	Fixed Fee	Total
Amendment No. 10 MET Monad Office Remodal				
PHASE I - DESIGN	TABLE 1A	\$296,720		\$296,720
PHASE II - CONSTRUCTION	TABLE 2A	\$105,530	\$6,750	\$112,280
TOTAL Amendment No. 10		\$402,250	\$6,750	\$409,000
Amendment No. 11 FY 24 On Call				
PHASE I - DESIGN	TABLE 1A	\$24,999		\$24,999
PHASE II - CONSTRUCTION	TABLE 2A			\$0
TOTAL Amendment No. 11		\$24,999	\$0	\$24,999
Amendment No. 12 2023 Apron Schedule 4 - Amendment				
PHASE I - DESIGN	TABLE 1A			
PHASE II - CONSTRUCTION	TABLE 2A	\$22,000	\$900	\$22,900
TOTAL Amendment No. 12		\$22,000	\$900	\$22,900
Amendment No. 13 Gate Fiber Replacement Project				
PHASE I - DESIGN	TABLE 1A	\$12,080		\$12,080
PHASE II - CONSTRUCTION	TABLE 2A	\$9,485	\$1,423	\$10,908
TOTAL Amendment No. 13		\$21,565	\$1,423	\$22,988
Amendment No. 14 MET IT Security Infrastructure				
PHASE I - DESIGN	TABLE 1A	\$8,500		\$8,500
PHASE II - CONSTRUCTION	TABLE 2A	\$4,498	\$602	\$5,100
TOTAL Amendment No. 14		\$12,998	\$602	\$13,600
Amendment No. 15 Cargo Slot 5 Ramp Construction				
PHASE I - DESIGN	TABLE 1A	\$341,120		\$341,120
PHASE II - CONSTRUCTION	TABLE 2A	\$330,075	\$42,015	\$372,090
TOTAL Amendment No. 15		\$671,195	\$42,015	\$713,210
Amendment No. 16 Aviation Place Road Rehabilitation				
PHASE I - DESIGN	TABLE 1A	\$80,345		\$80,345
PHASE II - CONSTRUCTION	TABLE 2A	\$71,466	\$9,719	\$81,185
TOTAL Amendment No. 16		\$151,811	\$9,719	\$161,530
Amendment No. 17 IP 9 Window Replacement				
PHASE I - DESIGN	TABLE 1A	\$6,390		\$6,390
PHASE II - CONSTRUCTION	TABLE 2A	\$3,660	\$550	\$4,210
TOTAL Amendment No. 17		\$10,050	\$550	\$10,600
Amendment No. 18 FY 25 On Call				
PHASE I - DESIGN	TABLE 1A	\$24,999		\$24,999
PHASE II - CONSTRUCTION	TABLE 2A			\$0
TOTAL Amendment No. 18		\$24,999	\$0	\$24,999

Summary of Agreements for Professional Engineering Services (Cont.)				
Description		Labor & Expenses	Fixed Fee	Total
Amendment No. 19	West Sewer and Water Expansion			
PHASE I - DESIGN	TABLE 1A	\$14,495		\$14,495
PHASE II - CONSTRUCTION	TABLE 2A	\$30,380	\$4,470	\$34,850
TOTAL Amendment No. 19		\$44,875	\$4,470	\$49,345
Amendment No. 20	MET Bus Wash			
PHASE I - DESIGN	TABLE 1A	\$35,670		\$35,670
PHASE II - CONSTRUCTION	TABLE 2A	\$13,326	\$994	\$14,320
TOTAL Amendment No. 20		\$48,996	\$994	\$49,990
Amendment No. 21	MET Transit Camera System and Sidewalk Modifications			
PHASE I - DESIGN	TABLE 1A	\$25,200		\$25,200
PHASE II - CONSTRUCTION	TABLE 2A	\$9,317	\$1,383	\$10,700
TOTAL Amendment No. 21		\$34,517	\$1,383	\$35,900
Amendment No. 22	Runway 7/25 Extension and Reconstruction			
PHASE I - DESIGN	TABLE 1A	\$324,845		\$324,845
PHASE II - CONSTRUCTION	TABLE 2A	\$20,684	\$3,101	\$23,785
TOTAL Amendment No. 22		\$345,529	\$3,101	\$348,630
Amendment No. 23	Pavement Condition Index Study			
PHASE I - DESIGN	TABLE 1A	\$72,330		\$72,330
PHASE II - CONSTRUCTION	TABLE 2A			\$0
TOTAL Amendment No. 23		\$72,330	\$0	\$72,330
Amendment No. 24	Overlook Road Rehabilitation			
PHASE I - DESIGN	TABLE 1A	\$63,700		\$63,700
PHASE II - CONSTRUCTION	TABLE 2A	\$53,103	\$7,012	\$60,115
TOTAL Amendment No. 24		\$116,803	\$7,012	\$123,815
Amendment No. 25	2025 Land Acquisition			
PHASE I - DESIGN	TABLE 1A	\$24,020		\$24,020
PHASE II - CONSTRUCTION	TABLE 2A	\$0	\$0	\$0
TOTAL Amendment No. 25		\$24,020	\$0	\$24,020
Amendment No. 26	MET Transit Addition Construction Administration			
PHASE I - DESIGN	TABLE 1A			
PHASE II - CONSTRUCTION	TABLE 2A	\$25,000	\$0	\$25,000
TOTAL Amendment No. 26		\$25,000	\$0	\$25,000
Amendment No. 27	Terminal Ticket Area			
PHASE I - DESIGN	TABLE 1A	\$1,019,570		\$1,019,570
PHASE II - CONSTRUCTION	TABLE 2A	\$0	\$0	\$0
TOTAL Amendment No. 27		\$1,019,570	\$0	\$1,019,570

Summary of Agreements for Professional Engineering Services (Cont.)				
Description		Labor & Expenses	Fixed Fee	Total
Amendment No. 28	Runway 7/25 Construction Administration			
PHASE I - DESIGN	TABLE 1A	\$27,000	\$0	\$27,000
PHASE II - CONSTRUCTION	TABLE 2A	\$550,385	\$73,175	\$623,560
TOTAL Amendment No. 28		\$577,385	\$73,175	\$650,560